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29 January 1994

OGC HAS REVIEWED.

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	LEGAL	Authority of Senior to Allowances for I described in	r Representative, Purniture, Purnishin	with respect	
	REPARENCE			25X1	
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25X1	request was refe to purchase refr erose from a dis	petch from Agerators of the Se andus makes the foll	FE Division reques secres end maching a mior Representative	ting authority	25X1
	"It is this situat	requested that KUBG ion by the following	Tit Tendquarters for 25X1	25X1	
- Company	"a. P	writer definites the	relation of	to	
25>	K1 GROEGE TAKE 1	efining the enthorit provisions of	y of the Exalor Repr as expressed :	resentative to in reference c."	
25X1	Offices Appropri of 1946. Under: Trust Territory	ve Order 10,000 of 1 this estuation, was stion Act of 1969 as its provisions the wof the Pacific Islan creamel Hermal Sect	idemed purposent to exceeded and the Por Crd, "Territories," do. This eres. es	the Independent reign Service Act includes "the is set forth the Marianna	
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reads. Regarding the second question, FE/Admin. has been unable to furnish this office with a copy of Reference c to the referenced senomentus. However, we would may that the Cenier Representative has no authority to exceed the provisions of ________ Regardless of this, we are of the opinion that exple authority exists for the Agency to great allowances of boundaries equipment to Selpan. The besis for this opinion is set forth bereafter.

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3. The governing criteria with respect to maximum allowances of furniture and furnishings for Government-smed personnel quarters are set forth in a table of allowances approved by the Director, Eureau of the Budget, Emecutive Office of the President, 29 December 1945, as an enclosure to Circular No. A-15 Revised. The actual table listing the furniture has been incorporated in tota in

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"The purpose of the table of maximum allowances is to further effective bedgetery control and to promote uniformity in practices followed by the several departments and establishments as to the articles of furniture and furnishings provided by the Government for use in living quarters made available by the Government for occupancy of Government exployees."

The description of the scope of the table includes the following:

"The use of the table of ellowances and applicable requirements is mandatory on the executive departments and establishments of the Government of the United States of America within the continental limits of the United States and its personant possessions and of the Government of the District of Columbia. The establishment of allowances for other personnel quarters cutside of the United States shall be for administrative determination by the department or establishment concerned."

This would apparently raise the question as to whether or not a Trust Territory may be comstrued to be a "permanent possession" of the United States. It probably is not and if not then the question of furnishing homeshold equipment at Saipen is simply one for administrative determination. However, we believe that further recalling of the circular discloses in "Other Allowances" enough flexibility to obvious the necessity of resolving this point. This paragraph reads as follows:

"Other Allowances:

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"The following allowances shall be for the coministrative determination of the beed of the department or establishment:

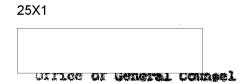
"L. Furniture and furnishings for libraries, dens, reception and recreational rooms, or for rooms other than those provided for in the table of allowances.

- "P. Furniture and furnishings for rooms of unusually large size for which quantities specified in the table of allowances may not be adequate.
 - "3. Window dreparies, curtains or portieres.
- "b. Other equipment such as stores, refrigerators, window shades, vacuum cleaners, fire extinguishers, fens, ewnings, ash and garbage came and related articles."

Paragraph 3 of Circular No. A-15 provides as follows:

"It is requested that the heads of the departments and establichments concerned maintain in force regulations in conformity with the provisions of this Circular and the tables of allowances and instructions referred to in paragraph 1. above."

5. In summery, our opinion is that, pursuant to the Agency policy of conforming to normal Government standards with regard to housekeeping functions there is, within the limits of Circular No. 15 Revised. ample authority for furnishing household equipment to territorial stations. It may be considered desirable to amend the Agency regulations appropriately. It is suggested that as far as may be desirable. allowances conform to any Coverement cover being utilized.



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